

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent Application No. 09/208,696

Applicant: Yasuyuki SEKINE

Filed: December 10, 1998

TC/AU: 3711

Examiner: Dolores R. Collins

Docket No.: 403072

Customer No.: 23548

Commissioner for Patents  
U.S. Patent and Trademark Office  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

**LETTER**

Sir:

The referenced patent application is the subject of an as yet undocketed Appeal. All briefing was completed January 17, 2007 based upon a final rejection mailed November 1, 2005. This patent application was filed December 10, 1998, nearly ten years ago.

In an Order mailed December 28, 2007, the Board of Patent Appeals and Interferences required the filing of an English language translation of JP 5-68733. The Board noted in the footnote of the first page of the Order that it does not accept Machine-Assisted Translations.

In an informal communication with Supervisory Primary Examiner Kim, by way of voicemail, Applicant was informed on February 4, 2008 that the Japanese applicant would not be permitted to file an English language translation of JP 5-68733 in response to the communication from the Board.

According to the Private PAIR System, an English language translation of JP 5-68733 was entered in the file wrapper on September 26, 2008. This translation is a


machine-assisted translation from the Japanese Patent Office and, therefore, does not fulfill the Order from the Board. There has been no communication to the Applicant's representative concerning the translation or its entry into the file wrapper of this patent application.

Accordingly, Applicant's representative makes two requests.

1. Applicant requests the opportunity to prepare and file an English language translation of JP 5-68733 that is not a machine-assisted translation in response to the Board's Order.

2. Applicant's representative requests that any activity resulting in the insertion of any document by the Examiner in the file wrapper of this patent application be accompanied by a communication to the Applicant's representative with a copy of every paper that is so entered.

Respectfully submitted,

  
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JAW/jj